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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

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7 Francisco Martinez Medina,  
8 Petitioner,  
9 v.  
10 Charles L. Ryan, et al.,  
11 Respondents.  
12  
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No. CV-15-01033-PHX-ROS

14 **ORDER**

15 On August 29, 2016, Magistrate Judge Eileen S. Willett issued a Report and  
16 Recommendation (“R&R”) recommending the petition for writ of habeas corpus be  
17 denied. (Doc. 14.) No objections were filed.

18 A district judge “may accept, reject, or modify, in whole or in part, the findings or  
19 recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). Where any party  
20 has filed timely objections to the R&R, the district court’s review of the part objected to  
21 must be *de novo*. *Id.* If, however, no objections are filed, the district court need not  
22 conduct such a review. *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz.  
23 2003). No objections having been filed, the R&R will be adopted in full.

24 Accordingly,

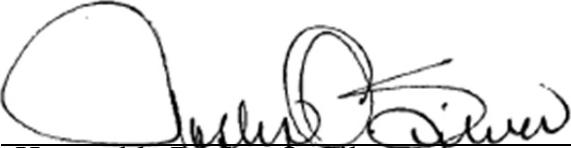
25 **IT IS ORDERED** the Report and Recommendation (Doc. 14) is **ADOPTED** and  
26 the petition for writ of habeas corpus is **DENIED**.

27 **IT IS FURTHER ORDERED** a Certificate of Appealability and leave to proceed  
28 in forma pauperis on appeal are **DENIED** because the dismissal of the petition is justified

1 by a plain procedural bar and jurists of reason would not find the procedural ruling  
2 debatable.

3 Dated this 26th day of October, 2016.

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Honorable Roslyn O. Silver  
Senior United States District Judge